

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GARY F. PEASEL,)
Plaintiff,)
vs.)
JO ANNE B. BARNHART,)
Commissioner of Social Security,)
Defendant.)
Case No. 4:04CV823 JCH (AGF)

ORDER

This matter arises on the Report and Recommendation of United States Magistrate Judge Audrey G. Fleissig, filed August 10, 2005. See 28 U.S.C. § 636. In her report, Magistrate Judge Fleissig recommends that the Court reverse the decision of the Commissioner, and remand this case for further development of the record, pursuant to Sentence Four of 42 U.S.C. § 405(g). Neither party has filed objections or otherwise responded to the Report and Recommendation.

After review of the entire record in this matter, the Court concurs in the Magistrate Judge's findings, and will adopt the Report and Recommendation. Accordingly, the Court will reverse and remand this matter to the Commissioner for further administrative proceedings. Specifically, the Administrative Law Judge is directed to (1) further develop the record in order to obtain appropriate medical evidence to support a proper RFC assessment, and (2) determine whether there are jobs in the national economy that Plaintiff can perform. The ALJ is directed to obtain the testimony of a vocational expert in determining the second issue, if necessary.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Judge (Doc. No. 16) is adopted and incorporated herein.

IT IS FURTHER ORDERED that, pursuant to Sentence Four of 42 U.S.C. § 405(g), this matter is reversed and remanded to the Commissioner for further proceedings consistent with the Magistrate Judge's Report and Recommendation and with this Order. A separate Order of Remand shall accompany this Order.

Dated this 13th day of September, 2005.

/s/ Jean C. Hamiton
UNITED STATES DISTRICT JUDGE